



U.S. Department
of Transportation
**Federal Aviation
Administration**

800 Independence Ave., S.W.
Washington, D.C. 20591

April 22, 2003

Exemption No. 4296K
Regulatory Docket No. FAA-2001-8754

Ms. Karen L.E. Wing
Corporate Administrator
Everts Air Fuel, Inc.
5525 Airport Industrial Road
Fairbanks, AK 99709

Dear Ms. Wing:

This is in response to your March 21, 2003, letter petitioning the Federal Aviation Administration (FAA) on behalf of Everts Air Fuel, Inc. (Everts), for an amendment to Exemption No. 4296, as amended. That exemption from § 91.9(a) of Title 14, Code of Federal Regulations (14 CFR) permits Everts to operate its McDonnell Douglas DC-6 (DC-6) aircraft (registration Nos. N251CE, N444CE, N451CE, and N888DG) at a 5-percent-increased zero fuel weight and landing weight for all-cargo aircraft to provide supplies to people in isolated villages in Alaska. The amendment you request would add a DC-6 aircraft, registration No. N400UA, to those listed in Exemption No. 4296, as amended.

In your petition, you indicate that the conditions and reasons regarding public interest and safety, presented in the original petition upon which the exemption was granted, remain unchanged.

The FAA has determined that good cause exists for not publishing a summary of the petition in the Federal Register because the requested amendment to the exemption would not set a precedent and any delay in acting on this petition would be detrimental to Everts.

The FAA has determined that justification for the issuance of Exemption No. 4296, as amended, is valid with respect to this exemption.

In consideration of the foregoing, I find that a grant of exemption is in the public interest. Therefore, pursuant to the authority contained in 49 U.S.C. §§ 40113 and 44701 delegated to me by the Administrator, Exemption No. 4296, as amended, is hereby further amended

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by revising the conditions and limitations to make minor editorial changes and to add DC-6 aircraft, registration No. N400UA, to the list of aircraft Everts is authorized to operate. This exemption terminates on June 30, 2005, unless sooner superseded or rescinded.

The conditions and limitations of Exemption No. 4296, as amended, are restated below for clarity.

1. This exemption applies to only the following DC-6 aircraft operated by Everts and included on its part 125 operations specifications: registration Nos. N251CE, N400UA, N444CE, N451CE, and N888DG.
2. Each aircraft's maximum zero fuel and landing weights must not exceed 87,360 pounds and 92,360 pounds, respectively.
3. In addition to the normal inspection program, Everts must inspect each aircraft in accordance with Douglas Report LB-306-73, Special Inspection Procedures for Cargo Operation, as revised and approved by the FAA.
4. Everts must revise the FAA-approved airplane flight manual for each aircraft operated under this exemption to include the operating limitations and information needed for operation at the increased weights.
5. Everts must include a copy of this exemption in each FAA-approved airplane flight manual.

This letter shall be attached to, and is a part of, Exemption No. 4296.

Please note that in an effort to allow the public to participate in tracking the FAA's rulemaking activities, we have transitioned to the Department of Transportation's online Docket Management System (DMS) at <http://dms.dot.gov>. This new docket system enables interested persons to submit requests to, view requests on, and download requests from the DMS to comply with 14 CFR § 11.63. Please submit future requests through the DMS.

Sincerely,

/s/ Louis C. Cusimano
Acting Director, Flight Standards Service